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REPORT OF HAZARDOUS DUTY COMMITTEE

1. In accordance with instructions from the Acting Executive, the Hazardous Duty Committee submits herewith a report relating to benefits which should be made available to employees of CIA whose duties may be classified as "hazardous". (Membership of the Hazardous Duty Committee is as follows:

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Walter L. Plorshelmer, Legal Staff.)

2. The Committee will report herein on two separate plans. Plan I will consist of the over-all long-range plan which this Committee feels should be applicable to career employees of CIA who are engaged at one time or another in hazardous duties. Plan II has been drawn up with a view in mind of immediate implementation to meet current needs in light of the possible national emergency or war. In Plan II there are no requirements for additional revisions and with the approval of the DCI the plan could be implemented immediately within CIA. Plan II has been drawn not merely in contemplation of possible needs, but has been designed to take care of current expressed needs of the covert offices.

3. There are attached hereto three appendices which set forth in considerable detail various aspects of the two plans which are set forth below. Appendix A outlines the benefits which would be applicable for employees who engage in hazardous service. Mentioned in those benefits are additional retirement benefits. Due to the complexity of that particular subject, Appendix B sets forth the necessary changes to be accomplished in the Civil Service Retirement Act and the purposes to be accomplished by the changes. Appendix C sets forth the standards by which the Hazardous Duty Board (later described) would be guided in determining the eligibility of an employee for hazardous and extra hazardous duty benefits.

4. This Committee is aware that at the present time CIA is engaged in correspondence with the Civil Service Commission and the

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had been previously advised
General Accounting Office to determine the views of those agencies as to the applicability of Section 1 (d) of the Civil Service Retirement Act to employees of CIA. As far as can be determined, no officials in CIA were aware that this particular section was intended to cover CIA employees. Further, the Legal Staff has advised informally that they are of the opinion that CIA employees are not covered. In the event the views of GAO and CSC are negative, there would be no great effect on the proposed legislation concerning retirement recommended by this Committee. In the event it is determined that CIA employees are covered, it is the recommendation of this Committee that the proposed legislative changes specifically except CIA employees from Section 1 (d) of the Retirement Act. This recommendation is based on the fact that administration of Section 1 (d) as it would apply to CIA employees is administratively unwieldy and in any event would contravene established security principles of CIA. *

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5. Plan I has been designed to facilitate a career concept *for* those employees of CIA who normally are required to accept overseas service during their career. The very nature of the work performed by CIA employees, *and particularly* while abroad, subjects them to certain hazards which are unlike those undergone by employees of any other government agencies. In addition, the restrictive nature of the security requirements established by CIA creates conditions which are not found in other government agencies. Consequently, this Committee is recommending those specific benefits stated below as a part of Plan I with a view to encouraging and developing a true career service in intelligence. The emphasis of the benefits to be made applicable is primarily to offer some compensation to employees or their dependents in the event those risks to which they are exposed result in misfortune or disaster to the individual, such as imprisonment, injury, or death.

(a) In order to establish permanently some of the benefits recommended, appropriate legislation will be required. By comparison of justifications and reports on somewhat similar legislation, it is felt that CIA's request for the recommended legislation will be considered reasonable, and desirable. The particular benefits which will require *revision* will be so earmarked, *legislation*

(b) In addition to examining the purposes to be served by a program of this type, the Committee has considered the

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possible difficulties which will be encountered in its administration. It is felt that while there are a number of specific details which will require study and development, the program in itself is susceptible to administration with a relative degree of simplicity and integration with other established procedures. At this time no estimates of the cost of the program have been prepared. It is believed that prior to submission of the legislative changes estimates should be prepared, although it is recognized that there is not a great body of experience on which such estimates can be made.

(c) It is intended that the benefits governed by this plan would be available only to appointive employees of CIA who are US citizens. It is proposed that hazardous duties be classed into two categories, Hazardous and Extra-hazardous. Hazardous Service would include all service abroad of any nature whatsoever (including TDY). It is felt that there are hazards to any CIA assignment abroad in the sense that personnel abroad may become potential targets for identification and violence by other nations' intelligence services. Extra-hazardous service would be determined by a Hazardous Duty Board in accordance with standards to be established by the Director of Central Intelligence. The requirement for Extra-hazardous Service would be actual exposure to risk of bodily harm or death. Eligibility for Hazardous Duty Benefits would be determined by a Hazardous Duty Board, the membership of which would include the following:

Personnel Director, Chairman
Representative of the Office or Staff concerned
Chief, Special Support Staff
Representative of the Legal Staff, Legal Advisor without vote.

(d) The following benefits are recommended for service falling in the Hazardous category:

(1) A death gratuity amounting to six-months' salary. The amount would be base pay only excluding any overseas allowances, differentials, overtime or extra-hazardous pay.

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(2) Benefits of the Missing Persons Act for all employees engaged in hazardous service. Anticipating that employees may be "detained" for long periods of time, additional benefits would be granted to attempt to compensate the individual in that during such detainment he would be denied opportunity of grade promotions.

(3) Application of the standards and benefits of the United States Employees' Compensation Act to the members of the family of the employee who is eligible under the Hazardous Service category.

(4) Additional credit for retirement so that for each year of hazardous duty the individual would receive 1 1/2 years' credit for such duty. Further, for each year of hazardous duty the voluntary retirement age would be reduced by six months. The effect of this benefit would be to enable an employee who had engaged continuously in hazardous service to retire at age 50 with only 20 years of actual service. This system would, in effect, make available to such an individual exactly the same benefits now available to all foreign service officers and investigative personnel under Section 1 (d) of the Retirement Act.

(e) The following benefits are recommended for service falling in the Extra-hazardous category:

(1) All benefits set forth above for hazardous service.

(2) Additional pay at the rate of 50 percent of base salary, not to exceed, however, \$260 per four-week pay period.

Benefits for Extra-hazardous Service in the United States would be limited to extra-hazardous pay and the six-months death gratuity.

6. The present world conditions have demanded that the covert offices of CIA make certain preparations to meet a possible national

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emergency or war. In addition to those activities, the normal work of the covert offices, in the opinion of the Committee, requires action at this time to facilitate the accomplishment of their mission. Consequently, the Committee has examined the basic over-all plan and determined that certain portions of that plan can be implemented entirely within the framework of the existing authorities available to CIA. There are existing problems which would be answered by this plan and at the present time only temporary expedients can be resorted to which, in most instances, require the personal approval of the DCI.

(a) As stated above, no legislation is required for this plan which will be referred to as Plan II. It is pointed out, however, that the benefits are applicable only in those cases where the individuals are employed on Confidential Funds. Almost without exception the cases that need to be covered arise in the covert offices and consequently Plan II in this respect appears to meet the immediate requirements.

(b) As was done in connection with Plan I, this Committee has recommended the administrative implementation of Plan II and feels that there are no insurmountable obstacles. Further, Plan II, if approved, would eventually, upon complete approval of Plan I, including the enactment of necessary legislation, merge and result in one over-all plan with a minimum of difficulty.

(c) The specific benefits are:

(1) Death gratuity amounting to six-months' salary.

(2) Benefits of Missing Persons Act including regular increases in salary for those individuals "detained" for long periods.

(3) Application of the standards and benefits of the United States Employees' Compensation Act to members of the family of the employee under the Hazardous Service category.

(4) In the category of Extra-hazardous Service, additional pay at the rate of 50 percent of base salary, not to exceed, however, \$200 per four-week pay period.

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(d) If Plan II is approved, the necessary administrative regulations, changes in regulations, and other papers will be drafted for signature of appropriate officials in CIA.

7. The individual members of this Committee have drawn upon their own knowledge and experience to formulate this report. In addition, cooperation has been received from other individuals whose capabilities and experience were such that the Committee felt they would be of assistance in expressing the needs and stipulating the measures essential to meet those needs. This report, while not signed by the individual members, is a unanimous expression of their views. In addition, the details of Plans I and II have been discussed with Assistant Directors for OO, OSO, OPC, and Chief, I&SS. They have concurred in the plans recommended and contained in this report.

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